



INCORPORATED 1883

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EPA, United State of America

Town of Laurel, Delaware Response

Proposed EPA Water Standards for Chesapeake Bay Watershed

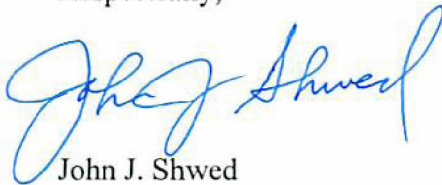
On behalf of the people of the Town of Laurel permit me to state, that we have demonstrated through action our desire to be good stewards of the environment. We recognize the importance of a healthy Chesapeake Bay and the role of the Federal Government in environmental oversight of critical natural resource. Specifically, our Town constructed a state of the art ENR system and was operational in August of 2008. The treatment facility consists of a Parkson Corporation Biolac wastewater treatment system and Dynasand Filter system and was touted as a model in the Mid-Atlantic region.

Having said that, I must on behalf of the people of Laurel protest the plant discharge water standards of 4.0 mg/l total nitrogen and 1.0 mg/l for total phosphorus as proposed by the State of Delaware-DNREC, on economic grounds. Laurel is an economically distressed area. Our median income is \$28,000 per year. Our Town needs to grow in territory and service so that we can attract new jobs to the area and increase our tax base. If we do not do that our people will be faced with a future laden with continuing increases in water and sewer fees.

Laurel is at a competitive disadvantage compared to its larger neighboring Towns to the north. They would be able to increase discharge capacity with proper upgrades as Laurel has done and increase their discharge capacity into the Nanticoke River. Because of a mathematical quirk our plant is permitted for 700,000 gal per day discharge. To accomplish our future growth economically the Town of Laurel should be permitted to discharge at least 2 million gallons per day into Broad Creek. Without a severe financial penalty we will have difficulty in meeting the proposed State of Delaware standards of 4.0 mg/l total nitrogen and 1.0 mg/l of total phosphorous at the 700,000 gal per day flow rate; expansion to 2 million gallons per day flow rate is virtually impossible. Additionally, if the back stop EPA limits of 3.0 mg/l TN and 1.0 mg/l TP were imposed our task would become impossible to obtain without a significant increase in plant modification and operating cost even at the lower 700,000 gal per day flow rate. These limits are being set at or near the limit of technology and being so stringent they limit capacity needed for growth of our Town and what limited capacity that exist must be used for existing town limits. As you are aware there have been several upgraded wastewater treatment facilities in other states as well as Laurel who struggle to comply with ENR standards. We all struggle to consistently meet the ENR levels due various loading, operational, and weather variability.

If technology exists to enable us to meet these standards then the Federal Government should make grant funding available for plant modifications; not loans, but grants. Our people are paying debt service now on a loan for the current waste water treatment plant. Finally, why should the citizens of western Sussex County, Delaware be expected to bear a disproportionate share of the cost just because their homes and businesses are connected to a point source of water discharge? It appears to us that waste water treatment plants are the low hanging fruit which government can regulate much easier than finding solutions to reductions in nitrogen and phosphorous from other sources in Delaware. I encourage the Federal EPA and DNREC to continue dialogue with us and our sister Western Sussex towns so that we might reach an equitable agreement on a path forward.

Respectfully,



John J. Shwed
Mayor
Town of Laurel, DE

CC: Senator Tom Carper
Senator Kaufman
Senator-elect Christopher Coons
Congressman Mike Castle
Congressman-elect John Carney
Governor Jack Markell
DNREC Sec Colin O'Mara